

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

PARKERSBURG DIVISION

DAVID DALE JEFFREY,

Plaintiff,

v.

CIVIL ACTION NO. 6:13-cv-22196

DETECTIVE D. A. MOODY, et al.,

Defendants.

ORDER

Now before the court are the plaintiff's pro se Complaint [Docket 2] and Application to Proceed without Prepayment of Fees and Costs [Docket 1]. On February 13, 2014, Magistrate Judge Eifert recommended that this action be dismissed without prejudice for failure to state a claim upon which relief can be granted. (*See* Proposed Findings & Recommendations ("PF&R") [Docket 14], at 1, 11). No objects to the PF&R were filed; therefore, I must only determine that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72; *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005). Having reviewed the record, I **FIND** no clear error and hereby **ADOPT** Judge Eifert's PF&R as to all issues. The Complaint is hereby **DISMISSED without prejudice.**

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 18, 2014


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE